

Commodity	Parts per million	Expiration date
Cottonseed oil .....	2.0 .....	Nov. 15, 1997
Tomato, concentrated products .....	0.5 .....	Do.

(b) [Reserved]

\* \* \* \* \*

**PART 186—[AMENDED]**

3. In part 186:

a. The authority citation for part 186 continues to read as follows:

Authority: 21 U.S.C. 348.

b. In § 186.1250, by revising paragraph (a) and removing paragraph (b) and designating it as reserved, as follows:

**§ 186.1250 Cyfluthrin.**

(a) A tolerance, to expire on November 15, 1997, is established for residues of the insecticide cyfluthrin

(cyano[4-fluoro-3-phenoxyphenyl]methyl-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate) in or on the following feed commodities:

Commodity	Parts per million	Expiration date
Cottonseed, hulls .....	2.0 .....	November 15, 1997
Tomato, pomace (dry and wet) .....	5.0 .....	Do.

(b) [Reserved]

\* \* \* \* \*

[FR Doc. 95-9149 Filed 4-10-95; 1:53 pm]

BILLING CODE 6560-50-F

**40 CFR Part 300****[FRL-5188-1]**
**National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete Hamilton Island (Site) from the National Priorities List; Request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 10 announces its intent to delete the Hamilton Island site from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Washington Department of Ecology (Ecology) have determined that the Site poses no significant threat to public health or the environment and, therefore, remedial measures pursuant to CERCLA are not appropriate.

**DATES:** Comments concerning this Site may be submitted on or before May 12, 1995.

**ADDRESSES:** Comments may be mailed to: Christopher Cora, U.S. Environmental Protection Agency, 1200

Sixth Avenue, Mail Stop: HW-124, Seattle, Washington 98101.

Comprehensive information on this Site is available through the U.S. Army Corps of Engineers public docket which is available for viewing at the Hamilton Island repositories at the following locations:

North Bonneville City Hall/Community Library North Bonneville, Washington  
Bonneville Dam Second Powerhouse and Bradford Island Visitor Center, Skamania County, Washington  
U.S. Army Corps of Engineers, Portland District, 333 S.W. First Street, Portland, Oregon 97204

**FOR FURTHER INFORMATION CONTACT:** Christopher Cora, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Mail Stop: HW-124, Seattle, Washington 98101, (206) 553-1148.

**SUPPLEMENTARY INFORMATION:**

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**I. Introduction**

The Environmental Protection Agency (EPA) Region 10 announces its intent to delete Hamilton Island from the National Priorities List (NPL), appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, and requests comments on this deletion. EPA identifies sites that appear to present a significant risk to human health or the environment and maintains the NPL as a list of those sites. As described in § 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial actions in the unlikely event that conditions at the site warrant such actions.

EPA will accept comments on the proposal to delete this Site for thirty days after publication of this notice in the Federal Register.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the Hamilton Island Site and explains how the Site meets the deletion criteria.

**II. NPL Deletion Criteria**

Section 300.425(e) of the NCP provides that releases may be deleted from, or recategorized on the NPL where no further response is appropriate. In making a determination to delete a release from the NPL, EPA shall consider, in consultation with the state, whether any of the following criteria have been met:

(i) Responsible parties or other persons have implemented all appropriate response actions required;

(ii) All appropriate response under CERCLA have been implemented, and no further action by responsible parties is appropriate, or

(iii) The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Even if a site is deleted from the NPL, where hazardous substances, pollutants, or contaminants remain at the site above levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action at the site to ensure that the site remains protective of public health and the environment. In the case of this Site, where no hazardous wastes are above health based levels and future access does not require restriction, operation

and maintenance activities and five-year reviews will not be conducted. However, if new information becomes available which indicates a need for further action, the federal government may initiate remedial actions. Whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazard Ranking System.

### III. Deletion Procedures

The following procedures were used for the intended deletion of this Site: (1) EPA Region 10 selected No Action as the selected remedy in the Record of Decision for the Site. The No Action Record of Decision qualifies the Site for inclusion on the Superfund Site Construction Completion List and may be used to initiate Deletion from the NPL procedures. (2) The Washington State Department of Ecology concurred with the proposed deletion decision. (3) A notice has been published in the local newspaper and has been distributed to appropriate Federal, State, and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and, (4) All relevant documents have been made available for public review in the local Site information repositories.

Deletion of the Site from the NPL does not itself create, alter, or revoke any individual rights or obligations. The NPL is designed primarily for informational purposes to assist Agency management. As mentioned in Section II of this Notice, § 300.425(e)(3) of the NCP states that deletion of a site from the NPL does not preclude eligibility for future response actions.

For deletion of this Site, EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision to delete. If necessary, the Agency will prepare a Responsiveness Summary if any significant public comments are addressed.

A deletion occurs when the Regional Administrator places a final notice in the Federal Register. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional office.

### IV. Basis for Intended Site Deletion

The following site summary provides the Agency's rationale for the proposed deletion of this Site from the NPL.

Hamilton Island is located adjacent to the Columbia River, approximately one and an half miles downstream from the

Bonneville Dam, in Skamania County Washington, 40 miles east of Portland, Oregon. The area surrounding the Site is part of the Columbia River Gorge National Scenic Area. Adjacent areas to the Site are used for commercial, residential and open space.

The Site was used by the U.S. Army Corps of Engineers (USACE) for the disposal of earthen materials and the old town of North Bonneville during the construction of the Bonneville Dam Second Powerhouse between 1977 and 1982.

The Site was placed on the NPL on October 14, 1992 as a Federal Facility. The basis of the listing was for possible releases of arsenic, copper, lead, zinc and toluene above Ambient Water Quality Criteria to the Columbia River and other sensitive ecological areas. The USACE entered into a Federal Facility Agreement on September 24, 1993 with USEPA and the Department of Ecology to conduct a Remedial Investigation/ Feasibility Study and the necessary Remedial Actions.

The Remedial Investigation determined that there was not unacceptable risk to human health or the environment, in fact the only contamination, above federal or state health based levels, detected was low level petroleum contamination in soils. On November 29, 1994 USACE proposed, in consultation with EPA and Department of Ecology to take No Action at the Site. No comments were received in opposition to the proposal.

Human health and ecological risk assessments were performed to assess current or future potential adverse human health or ecological effects associated with exposure to chemicals detected in soils, groundwater, surface water and sediments at Hamilton Island. Based on comparison of site specific analytical data with EPA and State risk-based screening criteria, ecological benchmarks, toxicity values, and the detection frequency and exposure potential of chemical constituents, it was concluded that chemicals at Hamilton Island do not pose an unacceptable risk to human health or the environment, under any land use scenario. Accordingly, EPA will not conduct "five-year reviews" at this Site.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if "the remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate". EPA, with concurrence of Ecology, believes that this criterion for deletion has been met. It is concluded that there is no

significant threat to public health or the environment and, therefore, no further remedial action is necessary.

Subsequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available from the docket.

Dated: March 30, 1995.

Chuck Clarke,

*Regional Administrator, Region 10.*

[FR Doc. 95-8882 Filed 4-11-95; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. 92-66; Notice 3]

RIN 2127-AF36

### Federal Motor Vehicle Safety Standards; Fuel System Integrity

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Advance notice of proposed rulemaking (ANPRM).

**SUMMARY:** This notice announces the agency's plans to consider upgrading Federal Motor Vehicle Safety Standard (FMVSS) No. 301, *Fuel System Integrity*, by making the current crash requirements more stringent and by broadening the standard's focus to include mitigation concepts related to fuel system components and environmental and aging tests related to components. This notice requests comments on the agency's plans to explore a three-phase approach to upgrading the standard. The notice also requests data, methods, and strategies, which may assist in the agency's regulatory decisions in defining specific requirements and test procedures for upgrading the standard.

**DATES:** Comments must be received on or before June 12, 1995.

**ADDRESSES:** Comments should refer to the docket and notice numbers above and be submitted to: Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590. Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Dr. William J.J. Liu, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590. Telephone: (202) 366-2264.